



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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February 23, 2000

Mr. Keith Klein  
United States Department of Energy  
P. O. Box 550, MSIN: A7-50  
Richland, Washington 99352

Mr. Michael Hughes  
Bechtel Hanford, Incorporated  
3350 George Washington Way, MSIN: H0-04  
Richland, Washington 99352

**RECEIVED**  
FEB 24 2000  
**EDMC**

Dear Messrs. Klein and Hughes:

*Re: Completion of Notice of Correction from September 16, 1999, Inspection  
of the 271-U 90-Day Accumulation Area -- #99NWPKW-19*

On September 16, 1999, the Washington State Department of Ecology (Ecology) conducted an inspection of the 271-U 90-day accumulation area, which is managed for the United States Department of Energy (USDOE), by Bechtel Hanford Incorporated (BHI). As a result of this inspection, Ecology determined a violation of Washington Administrative Code (WAC) Chapter 173-303, Dangerous Waste Regulations, had occurred. Specifically, the USDOE and BHI failed to designate waste prior to disposal as required by WAC 173-303-170(1)(a), and by reference of regulation WAC 173-303-070(3)(c).

On November 17, 1999, Ecology issued a Notice of Correction (NOC) citing this violation and 52316 including a corrective measure to remedy the waste management practices which precipitated this violation. The corrective measure in Ecology's November 17 letter required that the USDOE and BHI describe:

- The criteria by which the USDOE and BHI will evaluate the adequacy of any process knowledge used to designate any waste generated from any activity by BHI on the Hanford Site. The criteria must conform to the requirements of WAC 173-303-070(3)(c), and clearly establish when sampling and analysis will be required to supplement, or replace process knowledge, to ensure accurate designation of waste generated by BHI on the Hanford Site.

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- The system the USDOE and BHI will use to maintain on-site documentation of any process knowledge, and/or sampling and analytical data, used to designate waste at any facility operated by BHI on the Hanford Site per WAC 173-303-210 (3), (4), (5) and (6). This system must ensure that this documentation will be made available to Ecology within twenty-four (24) hours of the request, unless a longer period of time is approved by Ecology.

On December 16, 1999, the USDOE and BHI issued a response to Ecology's NOC, which included an Action Plan addressing the foregoing bulleted corrective measure.

This letter is a formal acknowledgement that Ecology accepts the December 16, 1999, Action Plan, submitted by the USDOE and BHI, to resolve the violation cited in Ecology's NOC dated November 17, 1999, subject to the following conditions:

- *Process knowledge must accurately and completely identify a waste.* Ecology expects that process knowledge will be based on known constituent inputs to the process, and include initial analytical data of the waste.
- *Chemical screening can be used to determine if a waste designates for the characteristics of ignitability, corrosivity, or reactivity; however, in the absence of adequate process knowledge, laboratory analysis is required to determine if a waste designates for any other reason.* Chemical screening is not acceptable to determine that a waste does NOT designate. That is, determining if a waste designates ignitable, corrosive, or reactive by use of chemical screening is acceptable; however, a determination that a waste does not designate requires laboratory analysis.
- *Although process knowledge may be acceptable for designation in some cases, the generator must be aware that this knowledge may be insufficient to ensure safe storage of the waste, or to ensure adequate knowledge of the waste for LDR treatment.*
- *If a generator's process has constituent inputs, that may designate as hazardous waste but are not expected to be in the waste resulting from that process, then laboratory analysis of the waste must be obtained, at least initially, to confirm that the waste does not contain these constituents, or a mass balance must identify at what point in the process those constituents were removed.* Ecology expects mass balance to be confirmed by laboratory analysis of the waste when the waste is first generated and whenever the waste generation process changes.
- *When relying on process knowledge to designate waste, the process must be reviewed at a frequency sufficient to ensure the process has not changed and the waste generated from the process meets current regulatory requirements and standards (e.g., annually).*

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Acceptance by Ecology of the USDOE and BHI Action Plan, as qualified by the foregoing conditions, does not imply sitewide conditions for the use of process knowledge for designation of waste outside of BHI generator activities. Ecology accepts the USDOE and BHI Action Plan to address the specific violation as cited in Ecology's November 17, 1999, NOC.

By this letter, Ecology considers the September 16, 1999, inspection closed. Ecology will review the USDOE/BHI implementation of the Action Plan, as qualified by the conditions contained herein, in future inspections of the USDOE/BHI operations at the Hanford Site.

If you have any questions regarding this letter, please contact me at (509) 736-3031.

Sincerely,



Bob Wilson, Compliance Inspector  
Nuclear Waste Program

BW:ld

cc: James Rasmussen, USDOE  
Paul Pak, USDOE  
Craig Cameron, USEPA  
Russell Wyer, BHI  
Mary Lou Blazek, OOE  
Administrative Record: